

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION	)	
OF COMCAST OF DELMARVA, LLC, F/K/A	)	
COMCAST CABLEVISION OF DELMARVA, LLC,	)	
FOR THE COMMENCEMENT OF PROCEEDINGS	)	
PURSUANT TO 47 U.S.C. § 546 REGARDING	)	
THE RENEWAL OF THE CABLE TELEVISION	)	PSC DOCKET NO. 17-1115
FRANCHISE TO SERVE CERTAIN	)	
UNINCORPORATED AREAS OF NEW CASTLE,	)	
KENT AND SUSSEX COUNTIES	)	
(FILED OCTOBER 25, 2017)	)	

**ORDER NO. 9180**

**AND NOW**, this 1st day of February, 2018, the Delaware Public Service Commission (the "Commission") determines and orders the following:

**WHEREAS**, Comcast of Delmarva, LLC, f/k/a Comcast Cablevision of Delmarva, LLC, ("Comcast of Delmarva" or "Cable Operator") is the current holder of a fifteen-year cable television franchise issued by the Commission in November, 2005 (the "Franchise") to provide cable television service in certain unincorporated areas of New Castle, Kent, and Sussex Counties, Delaware (the "Franchise Territory").<sup>1</sup> The Franchise is set to expire on June 17, 2020, but includes a provision granting Comcast of Delmarva an option to request renewal for an additional period not to exceed 15 years; and

**WHEREAS**, on October 25, 2017, Comcast of Delmarva filed a letter with the Commission timely<sup>2</sup> invoking the formal, multi-step process for renewing the Franchise pursuant to Section 626 of the Cable Communications Policy Act of 1984 (47 U.S.C. § 546(a)-(d)) (the "Application"). The Application

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<sup>1</sup> See PSC Order 6773 (November 22, 2005).

<sup>2</sup> 47 U.S.C. § 546(a) requires cable franchise renewal procedures be invoked "... during the 6-month period which begins with the 36<sup>th</sup> month before the franchise expiration . . .", or approximately three years prior to the Franchise expiration date.

also states Comcast of Delmarva's willingness to proceed with the Application on an informal basis pursuant to 47 U.S.C. § 546(h), although both parties reserve their right to proceed with the renewal under the formal process; and

**WHEREAS**, on November 9, 2017 in Order No. 9145, the Commission opened this docket and designated R. Campbell Hay as Hearing Examiner for this matter pursuant to 26 Del. C. § 502 to conduct two evening public comment sessions at appropriate locations within the Franchise Territory and with appropriate notice and the opportunity for public participation consistent with 47 U.S.C. § 546(a) for the purpose of (a) identifying the future cable-related community needs and interests; and (b) reviewing the performance of the cable operator under the Franchise during the current Franchise term; and

**WHEREAS**, Hearing Examiner Hay was also designated to prepare and file a report (i) detailing attendance at the public comment sessions and summarizing all oral and written comments timely received; and (ii) recommending either that the Commission grant or deny the Application pursuant to 47 U.S.C. § 546(h) and the reasons therefor, or in the alternative, the scheduling and completion of a full evidentiary hearing on the Application pursuant to 47 U.S.C. § 546(a)-(g); and

**WHEREAS**, Hearing Examiner Hay has recently resigned from his position with the Commission and will not be available to conclude the assignment designated in Order 9093.

**NOW, THEREFORE, BY THE AFFIRMATIVE VOTE OF NOT FEWER THAN THREE COMMISSIONERS, IT IS ORDERED THAT:**

1. That Mark Lawrence is designated as Hearing Examiner for this

matter pursuant to the terms of 26 Del. C. §502 to continue the assigned responsibilities in this docket, as may be necessary to, (a) identify the future cable-related community needs and interests; (b) review the performance of the cable operator under the Franchise during the current Franchise term; and (c) prepare and file a report (i) detailing attendance at the public comment sessions and summarizing all oral and written comments timely received; and (ii) recommending either that the Commission grant or deny the Application pursuant to 47 U.S.C. § 546(h) and the reasons therefor, or in the alternative, the scheduling and completion of a full evidentiary hearing on the Application pursuant to 47 U.S.C. § 546(a)-(g).

2. The Commission Secretary shall promptly serve a copy of this Order on the Division of the Public Advocate.

3. The Commission reserves the jurisdiction and authority to enter such further Orders in this matter as may be deemed necessary or proper.

**BY ORDER OF THE COMMISSION:**

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Chair

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Commissioner

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Commissioner

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Commissioner

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Commissioner

ATTEST:

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Secretary